



So Ordered.

Diane Davis
United States Bankruptcy Judge

Signed this 7 day of February, 2014.

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK**

IN RE:

VINCENT D. IOCOVOZZI,

Debtor.

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Case No. 13-62035
Chapter 13

INTERIM ORDER

GPO Federal Credit Union ("GPO") a secured creditor of the Debtor, having moved upon the affidavit of its counsel, Patrick G. Radel, Esq., for an Order lifting the automatic stay pursuant to 11 U.S.C. §362(d)(1); lifting the co-debtor stay pursuant to 11 U.S.C. §1301(c) as against Bonnette L. Iocovozzi; waiving the stay of Order pursuant to Rule 4001 (a)(3) of the Federal Rules of Bankruptcy Procedure; permitting GPO to foreclose on its first priority security interest in the collateral security; granting GPO an allowed unsecured claim with respect to any deficiency balance that may exist after the sale of the real property; granting GPO attorneys' fees and costs pursuant to

11 U.S.C. §506(b); or, in the alternative, directing the Debtor to make adequate protection payments pursuant to 11 U.S.C. §361 (1) (Docket No. 15); and counsel for the parties have engaged in discussions and reached an agreement in resolution of GPO's motion;

NOW, THEREFORE, on the consent of the parties it hereby is

ORDERED, that the Chapter 13 Trustee shall make interim pre-confirmation adequate protection payments of \$540.00 per month to GPO; and it is further

ORDERED, that the foregoing paragraph shall not be deemed a final determination of this Court with regard to the appropriate level of adequate protection and/or the continuation of the automatic stay beyond the adjourned hearing with regard to GPO's motion, and the parties' rights are expressly reserved; including GPO's right to object to plan confirmation; and it is further

ORDERED, that the adequate protection payments shall be made to GPO's counsel, Getnick Livingston Atkinson & Priore, LLP, Patrick G. Radel, Esq., 258 Genesee Street, Suite 401, Utica, New York 13502; and it is further

ORDERED, that if the Debtor fails to make a payment to the Trustee and fails to cure such default upon seven (7) days written notice, with such notice to be electronically filed with the Court and served upon the Debtor via first class mail, GPO shall be entitled to the stay relief and co-debtor stay relief requested in its motion upon an *ex parte* application; and it is further

ORDERED, that GPO's motion is adjourned to May 15, 2014, at 9:30 a.m., in Utica, New York.

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